

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION

ASARCO LLC AND SOUTHERN PERU
HOLDINGS CORPORATION

VS.

AMERICAS MINING CORPORATION

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) CIVIL ACTION NO.
) B-07-018
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MOTION HEARING
BEFORE THE HONORABLE ANDREW S. HANEN
JUNE 6, 2007

APPEARANCES:

For the Plaintiff: MR. G. IRVIN TERRELL
MR. MICHAEL C. MASSENGALE
Baker Botts, L.L.P.
One Shell Plaza
910 Louisiana Street
Houston, Texas 77002-4995

For the Plaintiff: MR. FERNANDO RODRIGUEZ, JR.
MR. ERIC SODERLUND
Baker Botts, L.L.C.
2001 Ross Avenue
Dallas, Texas 75201-2980

For the Plaintiff: MR. SHELBY A. JORDAN
Jordan, Hyden, Womble & Culbreth
500 North Shoreline, Suite 900
Corpus Christi, Texas 78471

For the Plaintiff: MR. MICHAEL J. URBIS
Jordan, Hyden, Womble & Culbreth
1534 E. 6th Street, Suite 104
Brownsville, Texas 78520

1 APPEARANCES (Continued):

2 For the Defendant: MR. ALAN J. STONE
3 MS. MELANIE WESTOVER
4 Milbank, Tweed, Hadley & McCloy
5 One Chase Manhattan Plaza
6 New York, New York 10005-1413

7 For the Defendant: MR. CHARLES A. BECKHAM, JR.
8 MR. BRIAN F. ANTWEIL
9 Haynes Boone
10 One Houston Center
11 1221 McKinney Street, Suite 2100
12 Houston, Texas 77010-2007

13 For the Official Committee MS. EVELYN H. BIERY
14 Unsecured Creditors of Fulbright & Jaworski, L.L.P.
15 ASARCO LLC: Fulbright Tower
16 1301 McKinney, Suite 5100
17 Houston, Texas 77010-3095

18 For the Official Committee MR. ROBERT T. BROUSSEAU
19 in the Subsidiary Cases: Stutzman, Bromberg, et al
20 2323 Bryan Street, Suite 2200
21 Dallas, Texas 75201-2689

22 For the Future Claims MR. JOHN H. TATE, II
23 Representatives: Oppenheimer Blend
24 711 Navarro, 6th Floor
25 San Antonio, Texas 78205

18 APPEARANCES VIA TELEPHONE:

19 For the Defendant: MR. LUC A. DESPINS
20 Milbank, Tweed, Hadley & McCloy
21 One Chase Manhattan Plaza
22 New York, New York 10005-1413

23 Transcribed by: BARBARA BARNARD
24 Official Court Reporter
25 600 E. Harrison, Box 301
Brownsville, Texas 78520
(956)548-2591

1 THE COURT: Go ahead.

2 MR. DESPINS: This is Luc Despins with Milbank. Just to
3 put this in context, I want to be sure Your Honor knows, the
4 54.2 percent of the stock is probably worth about 8 billion plus
5 today. So if they win the -- you know, I think it's pretty
6 clear that there would be more than enough money to pay
7 creditors, you know, twice over. So I want to make sure you
8 have that in the context of this issue.

9 THE COURT: Okay. Here's what I want you to do. I want
10 you to produce the documents that you were going to produce with
11 regard to this transaction. I want you to produce a record*of
12 all the dividends or any other compensation. By that, I'm
13 talking like stock splits or something -- you know, anything
14 related to the ownership of the stock.

15 MR. STONE: Sure. Which is all public; but, yes, we'll
16 produce it.

17 THE COURT: And with regard to anything in the future
18 that may come up, I'll consider another request if there's
19 something later on that leads us to believe there was any
20 hanky-panky or reason to go over it. But right now beyond that,
21 I'm denying your request, Mr. Terrell.

22 MR. STONE: Thank you, Your Honor.

23 MR. TERRELL: That's fine, Your Honor. We can do that
24 by 30(b)(6).

25 THE COURT: Okay.